

HOUSE BILL 811

By Campfield

AN ACT to amend Tennessee Code Annotated, Title 49, relative to teacher tenure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-502, is amended by adding the following as new subsection (a) and by relettering subsequent subsections accordingly:

(a) This part shall apply only to teachers employed prior to July 1, 2009.

Notwithstanding any provision of this part to the contrary, any teacher who breaks a contract with a board of education without justifiable reason as listed under § 49-5-508 shall not be eligible to regain tenure.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 5, Part 4, is amended by adding the following language as a new section:

§ 49-5-418.

(a) Upon initial employment by an LEA, all teachers shall serve a probationary period of employment of three (3) years or not less than twenty-seven (27) months within a five-year period. Nothing in this section shall require a decision by an LEA to grant continued employment from year-to-year during the probationary period.

(b) Upon completion of the probationary period, any teacher who is reemployed or retained in the system shall be employed under a two-year contract. Upon successful completion of the contract of employment, the contract and any subsequent contract may be renewed for another two-year term.

(c) As used in this section, “teacher” includes teachers, supervisors and all other certificated personnel employed by any local board of education, for service in public, elementary and secondary schools, supported in whole or in part by state or federal funds. Employment terms of the director of schools or a principal shall be governed by § 49-2-301 and § 49-2-303 respectively.

SECTION 3. Tennessee Code Annotated, Section 49-5-5205(d), is amended by deleting the second and third sentences of subsection (d)(1) and by substituting instead the following language:

The performance of all teachers other than apprentice teachers shall be evaluated at least two (2) times during any two-year period of employment and may be evaluated at more frequent intervals by the LEA using procedures and evaluation criteria promulgated by the state board of education. The scheduling of such evaluations shall be determined in accordance with the evaluation plan adopted by the LEA and approved by the state board of education, but at least eight (8) months shall elapse between any two (2) evaluations.

SECTION 4. Tennessee Code Annotated, Section 49-13-117(b), is amended by deleting the words “obtain or determine tenure status” and by substituting instead the language “obtain or determine tenure status, if such teacher is eligible for tenure”.

SECTION 5. This act shall take effect July 1, 2009, the public welfare requiring it.